REMARKS

Drawings

The examiner objected to the drawings under 37 CFR 1.83(a) in connection with a reference in Claim 7 (and also Claim 29) to "the length of each point being at least about 15 percent of the maximum dimension of an outline of the shape." Applicant has amended Claims 7 and 29 to delete the foregoing language, thus removing the basis for the present objection.

Claim Rejections – 35 USC § 112 (Office Action ¶¶ 1-2)

The examiner rejected Claims 4, 7-9, 17-18 and 29-31 under 35 USC § 112, second paragraph, a being indefinite.

The examiner questioned the scope of "substantially less" in Claim 29 (and also Claim 7). The examiner also questioned the language "at least about 15 percent" in Claim 7 (and also Claim 29). Claims 7 and 29 have been amended to remove the foregoing, questioned language. So, the rejection of Claim 29 (and 7) should be withdrawn.

The examiner also questioned the language in Claim 8 (and Claim 30) of "an angle below about 65 degrees." The examiner also questioned language in Claim 17 (and also 39) of "less than about 20 percent." The word "about" has been removed from Claims 8, 17, 30 and 39, thus removing the basis for the rejection of these clams.

Finally, the examiner questioned the language "substantially less" in Claim 4 (and also Claim 26). The examiner queried whether "some more definitive range beyond simply 'less' is required and if so, what the extent of the range should be." However, Applicant has already guided a person of ordinary skill in the art as to the metes and bounds of "substantially less." At Page 4, Lines 25-27 of the Specification, Applicant teaches: "Preferably, object 30 is completely surrounded by translucent material 32. More preferably, substantially the entire outer surface of object 30 is intimately surrounded by translucent material 32, for optimum protection of the object." From the foregoing teaching, a person of ordinary skill will be adequately guided as to what is "substantially less." So, the rejection of Claim 4 (and Claim 26) should be withdrawn.

Rejection over Littles (Office Action ¶¶ 3-4)

The examiner rejected Claims 1-2, 5-6, 16, 19-21, 23-24, 27-28, 38 and 41-44 under 35 USC 102(b) as anticipated by USP 4,777,570 to Littles. This rejection is respectfully traversed, especially in view of the amendments to Independent Claims 1 and 23, from which all rejected dependent claims depend.

Littles teaches the use of *electric* illuminating devices 36 such as incandescent bulbs that are powered by a "suitable source of electric energy." Col. 2, Lines 40-47. Claims 1 and 23 have been amended to clarify that the claimed object or objects comprise "light-emitting material that either phosphoresces or luminesces, without an electrical power source." This feature is apparent from the present specification in general, which does not require the inventive embodiments to have an electrical power source, and more specifically at Col. 2, Lines 12-13.

The present rejection should, therefore, be withdrawn.

Rejection over Carr and Pitts (Office Action ¶¶ 5-6)

The examiner rejection Claims 1-2, 12-15 and 21-22 under 35 USC 103(a) over USP 4,981,314 to Carr in view of USP 6,555,215 to Pitts. This rejection is respectfully traversed, especially in view of the amendments to Independent Claims 1 and 23, from which all rejected dependent claims depend.

Carr disclosurs a door knob with a front face having the representation of a human eye, but, as the examiner acknowledges, does not disclose an object being visible through "a protective layer of translucent material." Pitts shows in Fig. 2, for instance, a very thin chemiluminescent layer 24 of typically 5-20 mils thick, covered by a very thin micro-screen cover 30 of typically 2-5 mils thick. Col. 6, Lines 20-48. A very thin shell protective covering 40 of typically 2-5 mils thick covers micro-screen 40. Col. 6, Lines 49-57.

From the foregoing dimensions, it is apparent that the size of Pitt's chemiluminescent layer 24 is substantially the same as that of the size of the doorknob 10 (Fig. 2).

Presently amended Claims 1 and 23 recite that the object or objects are "sized substantially smaller from the size of the protective translucent material." As such, the objects can provide visual interest—especially to a child—differing from merely that of the outline of doorknob. Additionally, such objects can also portray other information—e.g., the word "EXIT"—that cannot be portrayed by the Pitts arrangement. This gives a great deal of design flexibility to the designer of a claimed doorknob. Carr fails to remedy the deficiencies of Pitts, lacking a protective layer over the representation of a human eye.

Additionally, amended Claims 1 and 23 recite that the object or objects are "sufficiently surrounded by the protective translucent material as to be visible from the side of the knob." Such a feature is apparent, for instance, from the perspective view of present Fig. 1 and from Fig. 5 and its description: "Preferably, object 30 is completely surrounded by translucent material 32." Page 4, Line 25.

The foregoing, newly recited features of Claims 1 and 23 give the designer of a doorknob vastly more flexibility in design than Pitts's arrangement allows. Carr fails to remedy the deficiencies of Pitts, failing to teach or suggest a protective translucent material of any size. Accordingly, the present rejection should be withdrawn.

Rejection over Carr, Pitts, Gianelli and Mead (Office Action ¶ 7)

The examiner rejected Claims 5-11, 23-24 and 27-31 over Carr and Pitts as applied in the foregoing rejection, and further in view of USP 6,704,967 to Gianelli and US Design Patent 296,658 to Mead. This rejection is respectfully traversed, especially in view of the amendments to Independent Claims 1 and 23, from which all rejected dependent claims depend.

As discussed above, Carr and Pitts fail to teach or suggest the invention of Independent Claims 1 and 23. Gianelli and Mead fail to remedy the deficiencies of Carr and Pitts.

Gianelli discloses a "phosphorescent spot 37" (e.g., Figs. 1, 2 and 4) that "may be material inlaid in the ornamental shape, or may be a surface applied material." Col. 4, Lines 6-17. Gianelli fails to teach or suggest the claimed protective translucent material and its dimensioning and arrangement as recited in Claims 1 and 23.

Mead fails to even teach or suggest light-emitting material as recited in Claims 1 and 23, and further fails to teach or suggest the claimed protective translucent material and its dimensioning and arrangement as recited in Claims 1 and 23.

In more detail, any plausible combination of the applied references to Carr, Pitts, Gianelli and Mead would not result in the presently claimed invention.

The primary reference to Carr teaches several embodiments of a door handle, whose cross sections are shown in Figs. 6-8. Each of the handles includes a door knob portion 12, of generally spherical shape. In contrast to the claimed doorknob, which includes one or more objects sufficiently surrounded by a protective translucent material as to appear floating within that material, Carr teaches a radically different structure. Carr's luminescent ornamentation (eyeball) is affixed to the surface of a hollow doorknob. That is, Carr teaches that his ornamental eyeball feature 14 may be integrally molded with the door knob portion 12 or formed separately and adhered to the door knob portion. E.g., Col. 4, Lines 62-64. Carr further teaches that each of his door knob portions 12 has an interior hollow volume, as indicated by lack of cross-hatching in Figs. 6-8 and by the explicit teaching that the doorknob of Fig. 8 is hollow (Col. 5, Line 16).

An ordinarily skilled artisan would be motivated, at most, from Pitts to apply a very thin protective layer over the eyeball feature of Carr. This does not result in the presently claimed structure of Claims 1 and 23.

Gianelli would plausibly suggest, at most, that the eyeball feature of Carr be replaced with star 37 of Gianelli. This still would not result in the structure of Claims 1 and 23, especially because only the front of the resulting phosphorescent or luminescent feature (i.e., star 37) would be covered by a protective translucent material. The star would not be "sufficiently surrounded by the protective translucent material * * * as to appear floating within the protective translucent material from *an axial side* of the knob," as recited in Claims 1 and 23 (emphasis added).

At most, Mead might suggest replacing the single star 37 of the foregoing structure resulting from Carr, Pitts and Gianelli with a plurality of star-shaped objects. However, due to the radically different structure of Carr—with an eyeball feature on the surface of the hollow doorknob—, the plurality of stars would merely replace the eyeball feature of Carr. As such, only the surface of such plurality of stars viewed from the front of Carr's door knob would be visible. Such stars would not appear as floating in translucent protective material from an axial side of the knob, as recited in Claims 1 and 23.

It would be improper for the examiner to arbitrarily pick and choose features of Mead for combining with Carr, such as Mead's side view of her lifting handle for a toilet seat. Claims 1 and 23 recite "a knob for placement on a vertically inclined door." As such, viewing one or more glow-in-the-dark objects that appear floating within translucent protective material from an axial side of the claimed door knob serves a functional purpose. In contrast, a user of Mead's toilet seat lifting handle would normally only see the top surface of the lifting handle. Any view from the side of the lifting handle would be spurious since the handle is normally placed at about knee level of a typical user, so that the user looks down on its main, flat surface. Moreover, the fact that Mead's side view lacks the aesthetic beauty of her main, flat view further indicates the spurious nature of her side view. That is, because Mead did not design the side view to have aesthetic beauty, the side view is spurious. Finally, in addition to the side view being spurious, the star-shaped objects embedded in Mead's handle do not glow in the dark. So, Mead's disclosure fails to teach or suggest glow-in-the dark objects that appear as floating in translucent protective material of a door knob placed on a vertically inclined door.

Accordingly, the present rejection should be withdrawn.

Rejection over Carr, Gianelli and Mead (Office Action ¶¶ 8-9)

The examiner rejected Claims 1-11, 21-37 and 43-44 over Carr in view of USP 6,704,967 to Gianelli and US Design Patent 296,658 to Mead. This rejection is respectfully traversed.

The immediately foregoing discussion of patentability of Claims 1 and 23 over Carr, Gianelli and Mead (the presently applied reference) and also over Pitts shows the lack of teaching or suggestion of glow-in-the dark objects that appear as floating in translucent protective material of a door knob placed on a vertically inclined door. The immediately foregoing discussion applies with even greater force to the present rejection since the present rejection omits citing Pitts.

Accordingly, the present rejection should be withdrawn.

Rejection over Carr, Pitts, Gianelli, Mead and Lam (Office Action ¶ 10)

The examiner rejected Claims 38-40 over Carr, Pitts, Gianelli and Mead as applied in the concerning ¶ 7 of the Office Action, and further in view of USP 6,394,511 to Lam. This rejection is respectfully traversed, especially in view of the amendments to Independent Claims 1 and 23, from which all rejected dependent claims depend.

Lam discloses a automotive vehicle decklid latch system, in which, as shown in Fig. 2B, shows a handle 26 made of phosphorescent material, and including an image of a person exiting a trunk. However, as discussed in connection with the prior rejection of various claims over Carr, Pitts, Gianelli and Mead, these references fail to teach or suggest the invention of Independent Claims 1 and 23. Such claims concern glow-in-the dark objects that appear as floating in translucent protective material of a door knob placed on a vertically inclined door. Lam fails to remedy the deficiencies of the Carr, Pitts, Gianelli and Mead, whereby Claims 38-40 should be held patentable over the prior art.

Dependent claims patentably distinguish with greater force

The foregoing discussions of patentability have focused on Independent Claims 1 and 23. However, the dependent claims patentably distinguish over the prior art with even greater force than Independent Claims 1 and 23.

Dependent Claims 11 and 33

For instance, Dependent Claims 11 and 23 have been amended to recite that "the objects comprise at least two objects spatially separated from each other along a main axis of the door knob as viewed from an axial side of the door knob." This feature of the invention is inherent in Fig. 1 of the present application, reproduced below, with call-outs for Lines 1 and 2 added.

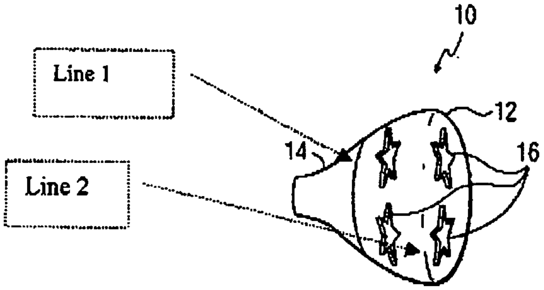

FIG. 1

The present specification describes Fig. 1 as "side view in perspective of a door knob in accordance with an embodiment of the invention." Page 3, Lines 16-17. Item 14 is described as a "mounting section" for the doorknob. Page 1, Line 9. Considering the angles of placement of Line 1 of mounting section 14 and Line 2 indicating the front of the door knob, it is evident that the two left-shown stars 16 are spatially separated from the two right-shown stars 16 along the main axis of the door knob.

None of the cited references, including Mead, teach or suggest the subject structure of "the objects compris[ing] at least two objects spatially separated from each other along a main axis of the door knob as viewed from an axial side of the door knob." Claims 11 and 33. In addition to Mead's side view being spurious as mentioned above, Mead's side view fails to show "at least two objects spatially separated from each," etc.

Therefore, Dependent Claims 11 and 33 should be held patentable.

Dependent Claims 12 and 34

Dependent Claims 12 and 34 further recite that the spatially separated objects of base Claims 11 and 33 comprise "a pair of objects, each being sufficiently surrounded by the protective translucent material as to appear floating within the protective translucent material from an axial side of the knob." Inherent support for this recitation is provided by Fig. 1 of the present specification, as described above. That is, the right-shown and left-shown objects 16 (i.e., stars) in Fig. 1 each appear floating within the protective translucent material from an axial side of the knob. None of the cited reference—Mead included—teaches or suggests this feature.

Accordingly, Dependent Claims 12 and 34 should be held patentable.

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I certify that the foregoing document and any document(s) referenced below are being faxed to the above-mentioned recipient at the above-mentioned fax number on the date stated below.

Dated: July 7, 2005

Respectfully submitted,

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